

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed November 18, 2004. At the time of the Office Action, Claims 1-12 were pending in this Application. Claims 1-12 were rejected. Claims 1 and 4 have been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Objections under 37 CFR 1.83(a)

Examiner has objected to the drawings for not showing every feature of the invention specified in the Claims under 37 CFR 1.83(a). Applicants have deleted certain language from the claims and submit the drawings are now in compliance with 37 CFR 1.83(a). Withdrawal of the objection is requested.

Rejections under 35 U.S.C. § 102

Claims 1, 4-9, and 11-12 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,336,124 issued to Hassan Alam et al. ("Alam et al."). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the amended claimed embodiment of the invention. Applicants have amended Claim 1. Claim 1 now expressly includes the limitation that the device includes "an export/import apparatus." And, as correctly noted by the Examiner, Alam et al. do not teach or disclose such a device. ("Alam fails to specifically disclose the device further comprising an export/import apparatus." See page 6 of Office Action.) Consequently, Applicants respectfully request, based upon amended Claim 1, withdrawal of the rejection.

Further, Applicants respectfully submit new Claim 1 (old Claim 2 which has been previously searched) is non-obvious over the cited art combination of Alam et al. and AutoCAD Release.

Rejections under 35 U.S.C. §103

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Here, even if the cited art is combined, which Applicants do not concede is proper, the claimed embodiment of the invention is not obtained; hence, a *prima facie* case of obviousness has not been established. Indeed, at best, the AutoCAD art is directed only to the importation and exportation of "drawings" not data and the referred to format change is a change in the format of a drawing not the conversion of data from a proprietary format, *e.g.*, used in running an automation system, to a standardized meta language format, *e.g.*, XML. Consequently, Applicants request withdrawal of the obviousness rejection of Claim 2, the limitations of which have been incorporated into Claim 1. Applicants request favorable action in relation to Claim 1 and Claims 4 and 5 dependent thereon.

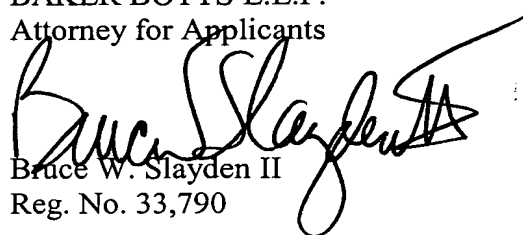
CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of Claims 1 and 4 as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 02-0283 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2606.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants



Bruce W. Slayden II
Reg. No. 33,790

SEND CORRESPONDENCE TO:
BAKER BOTTS L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2606
512.322.8306 (fax)

Date: 2/4/2005